

Mobile Video and Body Camera

435.1 PURPOSE

The purpose of this policy is to promote a standard operating procedure for the use and maintenance of mobile video equipment as an evidence-gathering tool in cases involving intoxicated drivers, criminal arrests, and other incidents where it would be prudent to gather video evidence.

435.2 DEFINITIONS

A. Mobile Video Recorder System (MVR) and In-Car Digital Video System: These are synonymous terms and refer to any system that captures audio and video signals capable of installation in a vehicle, and which includes at a minimum, a camera, microphone, recorder, and monitor.

B. Video Software: Includes the vendor approved software used to store and view evidentiary video footage after it has been uploaded from the squad to the police department. The user will interface with the video software while retrieving and viewing stored video on a computer at the police department.

C. FIRSTVU Camera: Refers to the Digital Ally compact body worn camera and microphone system.

D. Digital Video Recorder: The component of the MVR that is used to capture the video images when the system is activated. There is a main camera mounted to capture video outside the vehicle and one covert rear seat camera for capturing video inside the vehicle.

E. Video Metadata: Includes the information stored with each video clip including, but not limited to: officer name and badge number, GPS coordinates, speed, case number, vehicle factors, and date/time.

F. Recorded Media: Refers to audio and/or video signals recorded on any of several devices, including analog tape (VHS, SVHS, Hi 8mm), digital tape (DV), or other portable digital storage devices (CD, DVD, CF Card, hard drive, SD card, MicroSD card, etc.)

435.3 OFFICER RESPONSIBILITIES

A. Equipment

1. Maintain and operate the video equipment, taking reasonable precautions to prevent damage that may occur due to extreme temperatures or inclement weather.
2. Report equipment problems to the shift supervisor, Lieutenant, Video Evidence Manager, and/or the Information Technology Specialist.
3. All officers shall upload and review their MVR recordings by the end of their scheduled work week sequence, before leaving for their scheduled days off.

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4. All sworn full time officers, with the exception of the Chief of Police, will be issued a FirstVu body camera.

B MVR and Subject Positioning

1. Where possible, officers should ensure that the MVR is located properly to record officer/subject contact, including OWI field sobriety exercises.

2. Searching of subjects and vehicles should be conducted within view of the MVR whenever possible.

435.3.1 MANDATORY MVR RECORDING EVENTS

The following officer contacts shall initiate activation of the MVR, if it is available to the officer:

a. Traffic Stops (to include, but not limited to, traffic violations, stranded motorist assistance, high-risk stops, and all crime interdiction stops).

b. Emergency Responses (to include silent responses).

c. All requests for a consent to search without a warrant, including searches of persons, building, or vehicles.

d. Any dispatched radio call for service

e.. Vehicle Pursuits.

f.. Transports, to include prisoners and any other non-custodial transport (i.e. stranded motorist taken to a gas station).

g. All searches including, but not limited to, people, vehicles. and buildings

h. Interviews conducted in or near the squad car that include juveniles (for any criminal matter), or adults (for felony matters).

i. Any situation or incident that the officer, through training and experience, believes should be audibly and/or visually recorded.

435.3.2 MANDATORY FIRSTVU RECORDING EVENTS

The following officer contacts shall initiate activation of the FirstVu body camera:

a. Traffic Stops (to include, but not limited to, traffic violations, stranded motorist assistance, high-risk stops, and all crime interdiction stops), if a MVR is not available.

b. Interviews that require recording in the field when a MVR is not available.

c. Any situation or incident that the officer, through training and experience, believes should be audibly and/or visually recorded.

435.4 RESTICTION ON USE OF MVR AND FIRSTVU

MVRs and FirstVu body cameras shall be used only in conjunction with official law enforcement duties. They shall not be used for any of the following:

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- a. Officers are prohibited from covertly recording other department personnel without a court order or without the permission of the Chief of Police, subsequent to an authorized official investigation.
- b. Recording encounters with undercover officers or confidential informants.
- c. When on break or otherwise engaged in personal activities.
- d. In any location where individuals have a reasonable expectation of privacy, such as a restroom or locker room.

435.5 INCIDENT RECORDING REQUIREMENTS

Officers shall record all mandatory MVR events when a MVR is available to them. Officers shall manually start a recording whenever required by this policy, unless a recording had been automatically started by the unit. Once a video recording has been started, the officer shall, within reason, record the entire incident whenever possible, unless:

- a) A supervisor authorizes the recording to cease.
- b) Continued recording would be of no benefit (i.e. motorist assist while waiting for a tow truck or prolonged traffic control, subject is in the jail and recorded by jail cameras).

Video recordings automatically started during routine business, such as squad checks or squad maintenance, may be turned off right away, however, this video shall still be appropriately labeled "Miscellaneous" and uploaded. Officers utilizing squad cars where the MVR unit is not functioning shall notify the shift supervisor of the defective unit. Reports generated during the shift that would be mandatory MVR incidents shall include a statement that the MVR was not working that particular day.

435.6 SHIFT SUPERVISOR RESPONSIBILITIES

All procedures outlined in this policy apply to all supervisors when operating a squad car equipped with a mobile video camera, or an issued FirstVu Camera, as part of their official patrol supervisory duties. Supervisors will ensure that officers are utilizing video equipment in accordance with this policy and all other relevant directives, applicable statutes, and operating standards. Supervisors will identify mobile video training needs and will notify officers of squad video equipment problems/outages by posting a notice on the Briefing Room white board.

435.7 STORAGE OF RECORDED MEDIA FILES

Recorded MVR and FirstVu videos will be stored accordingly:

1. The MVR is programmed to automatically upload recorded media files to the wireless hot-spots in the parking lot of the Police Department and in the Police Department garage.
2. If an officer needs to leave prior to the completion of an upload, the MVR system will recognize the interruption and complete the upload when the MVR returns to the Police Department wireless hot-spots.

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2. Officers utilizing a FirstVu camera shall upload the stored video to the server as soon as possible.
3. Both MVR and FirstVu uploaded videos shall be reviewed by the recording Officer as soon as possible after they have been uploaded. Officer will mark all reviewed videos as “reviewed” and will include in the metadata, at a minimum: the case number, video category, and (if involving a case) the case description code. Additional metadata may be automatically placed in the metadata, including GPS coordinates and squad number.
4. All recorded media files that are not an evidentiary part of a HPD case report shall be archived in the storage system for 120 days and then deleted. Requests to save a media file beyond 120 days must be submitted to the Video Evidence Manager within a timely manner.
5. Media Retention for all video that is an evidentiary part of a case shall be kept for the period time that the other case records are to be kept.
6. Video evidence that is part of an internal investigation shall be secured with limited access as dictated by the Chief of Police and/or the Police and Fire Commission. Video evidence shall be kept in accordance to the records retention policy of the internal investigation, however, this time frame shall not be less than 120 days.

435.8 VIDEO EVIDENCE CUSTODIAN AND INFORMATION TECHNOLOGY

The Chief of Police shall designate a member of the Hudson Police Department to be the Video Evidence Custodian. The Video Evidence Custodian and Information Technology will have the following responsibilities:

1. Information Technology shall respect the required integrity of the video evidence, and Information Technology will coordinate all work and maintenance on the video equipment and backend hardware and software with the Video Evidence Custodian to ensure compliance with chain of custody rules and regulations.
2. Information Technology shall be responsible to maintain all hardware and software with the front end and back end of the mobile video system. Equipment down times shall be minimized and priority given to fixing mobile video issues.
3. Information Technology shall never delete any file from the video evidence database without prior documented approval from the Chief of Police.
4. The Video Evidence Custodian is responsible for administering the backend software and system firmware settings in conformance with this policy. Video purge setting shall be confirmed and managed by the Video Evidence Custodian. No system changes shall be made without the express permission of the Video Evidence Custodian.
5. The Video Evidence Custodian shall perform random audits of the backend software to check for compliance with this policy. Problems encountered during the audit shall be directed to the Chief of Police.

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6. The Video Evidence Custodian shall testify in court as required.

435.9 USE OF RECORDED MEDIA FILES

Unless required for court, recorded media files shall not be copied, transferred or distributed by department employees without written authorization from the Chief of Police. Recorded media files may be viewed by departmental employees under the following circumstances:

1. To assist in the completion of a police report.
2. Investigative purposes.
3. As part of the FTO program or other approved training program.
4. Supervisory reviews.

All media files recorded with the use of the MVR and body cameras are the property of the Hudson Police Department. Dissemination outside the department is strictly prohibited without specific authorization from the Chief of Police or designee. Requests for copies of MVR and FirstVu media files shall be forwarded to the Chief of Police to ensure compliance with the Wisconsin Open Records Law and court processes.